

REMARKS

Amendments to the Claims

Claims 1-5, 7-9, 13 and 14 are currently pending. Claims 1-4, 9 and 13 are amended herein. Amendments to claims 1-3 and 9 have been suggested by the Examiner and are being offered to facilitate prosecution. Amendments to claims 4 and 13 are made to provide proper antecedent basis.

Sequence Compliance

The Office has found errors in the sequence listing and has required corrections to the sequence listing in accordance with 37 CFR 1.821-1.825. Accordingly, a substitute computer readable form (CRF) copy of the sequence listing and a substitute paper copy are submitted herewith. Applicant respectfully requests entry of the sequence listing and that the objections to the sequence listing be withdrawn.

Rejection under 35 U.S.C. § 112, First Paragraph

Claim 9 stands rejected under 35 U.S.C. § 112, first paragraph, as purportedly lacking enablement. Specifically, the Examiner admits that the specification is enabled for an isolated or cultured transformant comprising an expression plasmid, the specification allegedly does not reasonably provide enablement for a transformant comprising an expression plasmid. Applicant has amended claim 9 to limit "transformant" to "isolated transformant". Thus, it is believed that the claim amendment renders the rejection moot, and it is respectfully requested that the rejection of the claim under 35 U.S.C. § 112, first paragraph, be withdrawn.

Claims 1-5, 7-9, 13 and 14 stand rejected under 35 U.S.C. § 112, second paragraph, as purportedly being indefinite because they depend from claim 1. The Examiner has rejected claim 1 as allegedly reciting a broad recitation "the polypeptides having an affinity with respect to each other", with a narrow range or limitation "wherein the first polypeptide is an interleukin-6, interleukin-11, CNTF or subunit thereof, and the second polypeptide is a receptor or subunit thereof".

Applicant has amended claim 1 according to the Examiner's recommendation, and thus the claim amendments render the rejection moot, and it is respectfully requested that the rejection of the claim under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claim 2 stands rejected under 35 U.S.C. § 112, second paragraph, as purportedly being indefinite because it recites "a" before "cytokine receptor" and "ligand", making it unclear what receptor is being claimed or what ligand the receptor subunit would bind. With the claim amendment made herein, Applicant respectfully requests that the rejection of the claim under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claim 3 stands rejected under 35 U.S.C. § 112, second paragraph, as purportedly being indefinite because it recites "the cytokine is a subunit of a cytokine" and thus it is allegedly unclear how the cytokine can be itself and a subunit. With the claim amendment made herein, Applicant respectfully requests that the rejection of the claim under 35 U.S.C. § 112, second paragraph, be withdrawn.

Conclusion

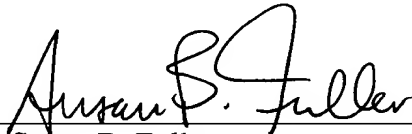
For the reasons set forth above, it is believed that this case is in condition for allowance. Applicant accordingly requests that this Amendment be entered and that the rejections under 35 U.S.C. § 112, First and Second Paragraph be carefully reconsidered. In the event that there are any questions relating to this application, it would be appreciated if the Examiner would telephone the undersigned concerning such questions so that the prosecution of this application may be expedited.

Respectfully submitted,

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